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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE APPLE INC. SECURITIES
 LITIGATION

Case No. C06-05208-JF

CLASS ACTION

THIS DOCUMENT RELATES TO:
 ALL ACTIONS

**STIPULATION AND [PROPOSED]
 ORDER REGARDING SCHEDULING
 MATTERS**

Judge: The Honorable Jeremy Fogel

1 WHEREAS, on August 24, 2006, plaintiffs Vogel and Mahoney filed a class action
2 complaint in this Court alleging that certain defendants violated the Securities Exchange Act of
3 1934 (the "Exchange Act"), including § 10(b) and Rule 10b-5 thereunder, and § 20(a)
4 ("*Vogel I*");

5 WHEREAS, on June 27, 2008, plaintiffs Vogel and Mahoney filed a new class action
6 complaint in this Court alleging that certain defendants violated the Exchange Act, including
7 § 10(b) and Rule 10b-5 thereunder, and § 20(a) ("*Vogel II*");

8 WHEREAS, on April 8, 2010, this Court entered an order consolidating *Vogel I* and
9 *Vogel II*, extending defendants' time to respond to the complaint to June 25, 2010, and setting a
10 briefing schedule in the event that defendants respond to the complaint by filing motions;

11 WHEREAS, on May 14, 2010, plaintiffs filed a [Corrected] First Amended Consolidated
12 Class Action Complaint ("Complaint");

13 WHEREAS, on August 23, 2010, the Clerk of the Court issued a Clerk's Notice
14 continuing the Case Management Conference set for August 27, 2010, to September 3, 2010, at
15 10:30 a.m.;

16 WHEREAS, the parties have met and conferred and wish to continue the Case
17 Management Conference;

18 WHEREAS, the parties also wish to extend defendants' time to respond to the Complaint
19 and modify the briefing schedule in the event that defendants respond to the Complaint by filing
20 motions;

21 NOW, THEREFORE, the undersigned parties hereby stipulate and agree, and respectfully
22 request that the Court enter an order as follows:

23 1. The Case Management Conference scheduled for September 3, 2010, at 10:30 a.m.
24 shall be continued to September 24, 2010, at 10:30 a.m.

25 2. Defendants shall file their responses to the Complaint by October 1, 2010.

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3. In the event that defendants respond to the Complaint by filing motions, the briefing and hearing schedule for defendants' motions will be:

| | |
|------------------------------|-------------------------|
| Plaintiffs' Oppositions Due: | November 5, 2010 |
| Defendants' Replies Due: | November 19, 2010 |
| Hearing: | To be set by the Court. |

IT IS SO STIPULATED

Dated: August 27, 2010

GEORGE A. RILEY
O'MELVENY & MYERS LLP

By: /s/ George A. Riley
George A. Riley

Attorneys for Defendant
APPLE INC.

Dated: August 27, 2010

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By: /s/ Douglas R. Young
Douglas R. Young

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1 Dated: August 27, 2010

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6 By: /s/ Yohance C. Edwards
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8 Attorneys for Defendants
9 FRED D. ANDERSON and NANCY R.
10 HEINEN

11 Dated: August 27, 2010

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16 By: /s/ Michael J. Barry
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1 I, George A. Riley, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Regarding Scheduling Matters. In compliance with General
3 Order 45, X.B., I hereby attest that Douglas R. Young, Yohance C. Edwards and Michael J. Barry
4 have concurred in this filing.

5 By: /s/ George A. Riley
6 George A. Riley

7 **ORDER**

8 PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

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10 DATED: _____, 2010

The Honorable Jeremy Fogel
United States District Judge

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